

## STATUTORY CHECKLIST [§58.35(a) activities]

### for Categorical Exclusions and Environmental Assessments

Note: Review of the items on this checklist is required for both Categorical Exclusions under Sec. 58.35(a) and projects requiring an Environmental Assessment under Sec. 58.36. If no compliance with any of the items is required, a Categorical Exclusion [58.35(a)] may become "exempt" under the provisions of Sec. 58.34 (a) (12). In such cases attach the completed Statutory Checklist to a written determination of the exemption. Projects requiring an Environmental Assessment under Sec. 58.36 cannot be determined to be exempt even if no compliance with Statutory Checklist items is found. Three items listed at Sec. 58.6 are applicable to all projects, including those determined to be exempt.

**Project Name and Identification/Location: Owner-occupied Rehabilitation and Rebuilding Program**  
**Application #2304 17 Sable St, Norwalk, CT**

Area of Statutory or Regulatory Compliance	Not Applicable to This Project	Consultation Required*	Review Required*	Permits Required*	Determination of consistency Approvals, Permits Obtained*	Conditions and/or Mitigation Actions Required	Provide compliance documentation. Additional material may be attached.
<b>Document Laws and authorities listed at 24 CFR Sec. 58.5</b>							
1. Historic Properties [58.5(a)] [Section 106 of NHPA]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The State Historic Preservation Office (SHPO) has reviewed the proposed rehabilitation plan (project scope letter from Capital Studio Architects, dated 6/11/14). SHPO has determined that no historic properties will be affected by elevation and rehabilitation of the property (Attachment B – SHPO Letter 1/15/2015).
2. Floodplain Management [58.5(b)] [EO 11988] [24 CFR 55]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) for the area shows the project site is located within a special flood hazard area, Zone AE, "1% annual flood chance" Fairfield County, CT- Map #09001C0533G (Figure 3). Connecticut Department of Energy and Environmental Protection (CTDEEP) Program-wide Permit Pending. Appendix B: Professional Certification Form for General Permit Application has been completed (dated 6/23/2014; Attachment B).
3. Wetland Protection [58.5 (b)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The project site is not located with a wetland according to US Fish and Wildlife Service (USFWS) National Wetlands Inventory map (NWI;2012). No impacts to wetlands are anticipated (Figure 4).
4. Coastal Zone Management [58.5(c)] [CGS 22a-100(b)]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site is located within the Coastal Boundary, but above the Coastal Jurisdiction Line contour/elevation of 5.4 ft. for the City of Norwalk (CTDEEP 2012; Figure 5). Review by local Planning & Zoning is required (activities must be consistent with Coastal Management Act C.G.S Section 22a-100(b))

Area of Statutory or Regulatory Compliance	Not Applicable to This Project	Consultation Required*	Review Required*	Permits Required*	Determination of consistency Approvals, Permits Obtained*	Conditions and/or Mitigation Actions Required	Provide compliance documentation. Additional material may be attached.
5. Water Quality – Aquifers [58.5(d)] [40 CFR 149] Clean Water Act 1977 Safe Drinking Water Act 1974	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rehabilitation includes relocation of hot water heater. Utility and sewer connections will be removed and reconnected with to new elevation. No impacts to water quality are anticipated. CTDEEP Bureau of Water Protection and Land Reuse map titled "Connecticut Aquifer Protection Areas" dated December 2013 does not identify aquifer protection areas in the City of Norwalk (Figure 6). The project site is not located in an EPA Sole Source Aquifer ( <a href="http://www.epa.gov/region1/eco/drinkwater/pc_solesource_aquifer.html">http://www.epa.gov/region1/eco/drinkwater/pc_solesource_aquifer.html</a> ).
6. Endangered Species [58.5(e)] [16 U.S.C. 1531 et seq.] [CGS 26-310]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CTDEEP State and Federal Listed Species and Significant Natural Communities Map indicates the presence of listed species or significant natural communities within the vicinity of the site (CTDEEP NDDB 2014; Figure 7). Program-specific parameters state further NDDB required is only for waterfront properties with a sandy beach. The project site is not a waterfront property (see Photo Log).  USFWS Information, Planning and Conservation System (IPaC) does not indicate the potential presence of endangered species or critical habitats on the project site (Attachment C).
7. Wild and Scenic Rivers [58.5 (f)] [16 U.S.C. 1271 et seq.]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Eightmile River is the only designated wild & scenic river within program area running through Lyme, Salem and East Haddam, CT (rivers.gov; 2012; Figure 8). Project site is not within one mile of the designated area.
8. Air Quality [58.5(g)] [42 U.S.C. 7401 et seq.]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Residential rehabilitation; will result in no quantifiable increase in air pollution.
9. Farmland Protection [58.5(h)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	US Department of Agriculture Natural Resources Conservation Service (NRCS) mapping indicates the site is primarily underlain by Ninigret-Urban land complex soils (Figure 9). The proposed project will not involve the conversion of any prime, unique, statewide, or locally important farmland.
Manmade Hazards: 10 A. Thermal Explosive [58.5(i)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site is in a residential neighborhood and proposed project will not result in any increase to density.
10 B. Noise [58.5(j)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Some short term construction-related noise is expected. No impact on long term contributions to ambient noise is expected.
10 C. Airport Clear Zones [58.5 (i)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site is outside of any airport clear zone.

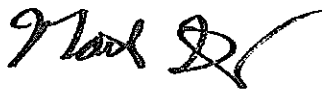
Area of Statutory or Regulatory Compliance	Not Applicable to This Project	Consultation Required*	Review Required*	Permits Required*	Determination of consistency Approvals, Permits Obtained*	Conditions and/or Mitigation Actions Required	Provide compliance documentation. Additional material may be attached.
10 D. Toxic Sites [58.5 (i)(2)(i)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Site is not listed on EPA Superfund National Priorities or CERCLA List or equivalent State list, is not located within 3,000 feet of a toxic or solid waste landfill, does not have an underground storage tank (which is not a residential fuel tank) and is not known or suspected to be contaminated by toxic chemicals or radioactive materials. Based on attached environmental database report prepared by Ecolog ERIS Ltd (Attachment D), site inspection, and owner interview.
11. Environmental Justice [58.5(i)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The rehabilitation work at the project site is compatible with the surrounding residential use and no adverse human health and environmental effects on minority or low income population are expected. The site is not located in an Environmental Justice Community as the City of Norwalk is not listed a Distressed Municipality by CTDECD (Attachment E), however, the site is located in a census block group with 30% of their population living below 200% of the federal poverty level (Attachment F).
<b>Document Laws and authorities listed at Sec. 58.6 and other potential environmental concerns</b>							
12 A. Flood Insurance [58.6(a) & (b)]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	FEMA FIRM for the site shows the project site is located within a special flood hazard area, Zone AE, "1% annual flood chance." Fairfield County, CT- Map #09001C0533G (Figure 3). The assisted homeowners are required to maintain flood insurance for not less than five years from the date of the assistance. DOH to track and maintain.
12 B. Coastal Barriers [58.6(c)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The project site is not located within a designated FEMA FIRM Coastal Barrier Resource Zone. Fairfield County, CT- Map #09001C0533G (Figure 3).
12 C. Airport Clear Zone Notification [58.6(d)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site is outside of any airport clear zone. Project does not involve purchase or sale of a property as such 24 CFR 58.6(d).
13. A Solid Waste Disposal [42 U.S.C. S3251 et seq.] and [42 U.S.C. 6901-6987 eq seq.]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Solid waste disposal provided by the city. Proposed project will not result in an increase in density.
13 B. Fish and Wildlife [U.S.C. 661-666c]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Program activities will not result in impounding, diverting, deepening, channelizing or modification of any stream or body of water; not a water control project.
13 C. Lead-Based Paint [24 CFR Part 35] and [40 CFR 745.80 Subpart E]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The results of Lead Paint Survey are in the Hazardous Material Inspection Report, dated 3/30/2015, prepared by Eagle Environmental Inc. submitted by Capital Studio Architects along with the Statutory Checklist). None of the materials tested were found to contain toxic levels of lead paint. No further action is required regarding lead-based paint.

Area of Statutory or Regulatory Compliance	Not Applicable to This Project	Consultation Required*	Review Required*	Permits Required*	Determination of consistency Approvals, Permits Obtained*	Conditions and/or Mitigation Actions Required	Provide compliance documentation. Additional material may be attached.
13 D. Asbestos	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The results of Asbestos-containing Material Survey are in the Hazardous Material Inspection Report, dated 3/30/2015, prepared by Eagle Environmental Inc. (submitted by Capital Studio Architects along with the Statutory Checklist). All materials tested were found to be non-asbestos containing materials. No further action is required regarding asbestos.
13 E. Radon [50.3 (i) 1]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Radon testing was not performed at the project site as the proposed rehabilitation includes elevation and the lowest level of the building and will not be in contact with the ground; Hazardous Material Inspection Report, dated 3/30/2015, prepared by Eagle Environmental Inc. (submitted by Capital Studio Architects along with the Statutory Checklist).
13 F. Mold	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The procedures and results of the microbial testing for mold spores are included in the Hazardous Material Inspection Report, dated 3/30/2015, prepared by Eagle Environmental Inc. (report submitted by Capital Studio Architects along with the Statutory Checklist). There were no observations of water intrusion. There were several rooms in which a strong odor was observed, however these rooms will not be raised as part of the project and will be demolished.
Other: State or Local 14 A. Flood Management Certification [CGS 25-68]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	General Permit for CDBG-DR Program activities with CTDEEP in development. Appendix B: Professional Certification Form for General Permit Application has been completed (dated 6/23/2014; Attachment B).
14 B. Structures, Dredging & Fill Act [CGS 22a-359 through 22a-363f]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rehabilitation work at the project site does not propose any activity water ward of the Coastal Jurisdiction Line as defined in C.G.S. Section 22a-359(c) (Figure 5).
14 C. Tidal Wetlands Act [CGS 22a-28 through 22a-35]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The project site is located above the Coastal Jurisdiction Zone based upon the coastal jurisdiction contour/elevation for the City of Norwalk (2012). CTDEEP Tidal Wetlands Mapping, as defined in C.G.S. Section 22a-29 and Section 22a-93(7)(e), identifies the project as outside a Tidal Wetland Zone (Figure 5; CTDEEP 1999).
14 D. Local inland wetlands/watercourses [CGS 22a-42]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No apparent inland wetlands on or adjacent to the site based review of NWI data (Figure 4) and NRCS soils data (Figure 9) as well as field observations. Project rehabilitation work is not expected to impact wetlands/watercourses.
14 E. Various Municipal Zoning Approvals	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No change of use or building expansion that would require zoning approvals noted.

**DETERMINATION:**

- ☐ This project converts to Exempt, per §58.349a(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license. Funds may be drawn down for this (now) EXEMPT project; OR
- ☒ This project cannot convert to Exempt because one or more statutes/authorities requires consultation or mitigation. Complete consultation/mitigation requirements, publish NOI/RROF and obtain Authority to Use Grant Funds (HUD 7015.16) per §58.70 and 58.71 before drawing down funds; OR
- ☐ The unusual circumstances of this project may result in a significant environmental impact. This project requires preparation of an Environmental Assessment (EA). Prepare the EA according to 24 CFR Part 58 Subpart E.

Prepared by:



3/31/15

Martin Brogie, LEP  
Senior Consultant, GEI Consultants, Inc.

Date

Responsible Entity or designee Signature:



Hermia Delaire, CDBG-DR Program Manager



5/22/15  
Date

# Attachment B

## Appendix B

### DECD/SHPO/DOH Professional Certification Form

For all General Permit Applications submitted as part of the Flood Management Certification for Disaster Recovery Activities, the following certification must be signed and sealed by a professional engineer licensed to practice in Connecticut

Property: 17 SABLE ST NORWALK, CT	
Application Number: 201405290-FM	
<p>"I certify that in my professional judgment, the above referenced project has been designed consistent with the Flood Management Certification for Disaster Recovery Activities as approved by DEEP and that the information is true, accurate and complete to the best of my knowledge and belief.</p> <p>I understand that a false statement made in the submitted information may, pursuant to Section 22a-6 of the General Statutes, be punishable as a criminal offense under Section 53a-157b of the General Statutes, and may also be punishable under Section 22a-438 of the General Statutes."</p>	
	June 23, 2014
Signature of Applicant	Date
Hermie Delaire	Program Manager
Name of Applicant (print or type)	Title
	June 23, 2014
Signature of Professional Engineer	Date
Andrew J. Krar	22052
Name of Professional Engineer (print or type)	P.E. Number
Affix P.E. Stamp Here	
